

AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all previous claims, and listing of claims, in the application.

Claims 1-28 (Canceled).

Claim 29 (Currently amended): A vehicle surroundings monitoring apparatus comprising:

first means for detecting at least solid object information ahead of an own vehicle;

second means for estimating a travel path of the own vehicle;

third means for recognizing a preceding vehicle traveling in front of the travel path of the own vehicle based on the solid object information;

fourth means for judging whether there is any forward traveling object, which travels in the same direction as the own vehicle, other than the preceding vehicle based on the solid object information;

fifth means for setting a parameter ~~judging counter expressing numerically the possibility of evacuation of the preceding vehicle, the judging counter set in response to both a lengthwise and distance (Z) of the preceding vehicle from the own vehicle~~ a widthwise distance (CAL) of the preceding vehicle from the own vehicle ~~has been recognized~~;

sixth means for adjusting the parameter ~~increasing the judging counter~~ in a case where any forward traveling object other than the preceding vehicle has been judged;

seventh means for judging whether the adjusted parameter ~~increased judging counter~~ is larger than a threshold value; and

eighth means for judging that the preceding vehicle is not traveling in front of the travel path of the own vehicle in a case where the adjusted parameter ~~increased judging counter~~ is larger than the threshold value and outputting a signal.

Claim 30 (Currently amended): The vehicle surroundings monitoring apparatus according to claim 29, wherein the parameter ~~judging counter~~ is cleared when the lengthwise distance is farther than a preestablished distance.

Claim 31 (Currently amended): The vehicle surroundings monitoring apparatus according to claim 29, wherein the parameter ~~judging counter~~ is set to increase[[d]] when the preceding vehicle is in a ~~vehicle evacuation~~ region comprising an area of a predetermined width and length around the travel path of the own vehicle ~~which is established in predetermined left and right areas around the travel path of the own vehicle at a plurality of distance divisions ahead of the own vehicle.~~

Claim 32 (Currently amended): The vehicle surroundings monitoring apparatus according to claim 31, wherein the parameter is set to increase as the preceding vehicle approaches the own vehicle region ~~the distance divisions comprise a first division near the own vehicle, a second division in front of the first division and a third division in front of the second division.~~

Claim 33 (Previously presented): A travel control system for controlling the travel of an own vehicle at least based on the output signal from the vehicle surroundings monitoring apparatus described in claim 29.